

(11)

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

GERALDINE CORTEZ
Plaintiff

v.

MICHAEL ASTRUE,
Commissioner of the
Social Security Administration,

CIVIL ACTION

NO. 10-7495

ORDER

AND NOW, this 21st day of May, 2011, after careful review and independent consideration of Plaintiff's request for review, Defendant's response thereto, Plaintiff's reply, and review of the Report and Recommendation of Carol Sandra Moore Wells, United States Magistrate Judge, it is hereby ORDERED that:

1. The Report and Recommendation is APPROVED and ADOPTED;
2. The Plaintiff's Request for Review is GRANTED in part and DENIED in part; and
3. The case is REMANDED to the Commissioner of the Social Security Administration so that the Administrative Law Judge ("ALJ") can conduct additional proceedings consistent with the Report and Recommendation. Specifically, upon remand, the ALJ shall:(a) re-assess Dr. Bohn's medical opinion and specify what findings are accepted and rejected, (b) explicitly consider Plaintiff's GAF scores at or below 50, (c) assess the impact of Plaintiff's obesity on each physical and mental limitation and make a proper materiality finding, (d) reconsider Plaintiff's RFC including all of her mental and physical limitations and (e) if necessary, submit a complete and accurate hypothetical question to a vocational expert, allowing Plaintiff the opportunity to respond to the expert's conclusions.

It is so ORDERED.

BY THE COURT:


ROBERT F. KELLY, J.